

IN THE UNITED STATES DISTRICT COURT  
FOR THE NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

UNITED STATES OF AMERICA

NO. CR 06-00784 RMW

Plaintiff(s),

v.

**ORDER SETTING HEARING ON  
MOTION TO CORRECT SENTENCE  
AND EXTENDING TIME FOR MOTION  
BASED ON UNAVAILABILITY OF  
SENTENCING JUDGE**

DANIEL RAMOS-GIL,

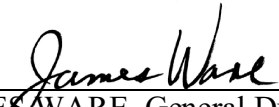
Defendant(s).

A motion was made to this Court to Correct Sentence. The motion was made to this Court sitting as General Duty Judge of the San Jose Division in the absence of Judge Whyte, the sentencing Judge. Good cause appearing, unless otherwise ordered by Judge Whyte, the parties are ordered to appear on **January 23, 2007 at 9:00 a.m. before Hon. Ronald M. Whyte** for a hearing on the Motion to Correct Sentence.

Time for moving to correct the sentence is suspended due to the unavailability of the sentencing judge and extended to January 23, 2007. Defendant shall be regarded as having made a timely motion for correction of sentence.

Nothing in this Order is intended to affect the issue on the merits as to whether an error was made or whether the sentence shall be corrected. These are matters left to Judge Whyte.

Dated: January 18, 2007

  
JAMES WARE, General Duty  
United States District Judge

United States District Court

For the Northern District of California

1 THIS IS TO CERTIFY THAT COPIES OF THIS ORDER HAVE BEEN DELIVERED TO:

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8 United States Marshal Service  
San Jose Division  
9 280 South First Street Rm 2100  
San Jose CA 95113

11 Dated: January 18, 2007

Richard W. Wieking, Clerk

12  
13 By: /s/  
Elizabeth Garcia  
Courtroom Deputy